

AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 921**

**Introduced by Assembly Member Firebaugh**

February 20, 2003

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An act to add ~~Section 60200.8~~ *Sections 60200.8 and 60220.5* to the Education Code, relating to instructional materials, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 921, as amended, Firebaugh. Instructional materials: cost consideration: *submission fee.*

Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, in language arts, mathematics, science, social science, bilingual or bicultural subjects, and any other subject, discipline or interdisciplinary areas for which the state board determines the adoption of instructional materials to be necessary or desirable.

This bill would require the State Board of Education to consider the cost of the instructional materials, per pupil, in selecting the instructional materials for adoption, as specified.

*Existing law sets forth various requirements upon publishers and manufacturers submitting instructional materials for adoption. Existing law imposes various duties upon the Curriculum Development and Supplemental Materials Commission, including, among others, the duty to develop criteria for evaluating instructional materials submitted for adoption and to study and evaluate instructional materials submitted for adoption.*

*This bill would require publishers and manufacturers that submit instructional materials for review and adoption by the state board to pay a fee, as provided, to the State Department of Education. The bill would create the Publishers and Manufacturers Submission Fee Fund and would require those fees to be deposited into that fund. The bill would continually appropriate those funds to the State Department of Education for the purpose of funding the expenses of the Curriculum Development and Supplemental Materials Commission.*

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 60200.8 is added to the Education Code,  
2 to read:

3 60200.8. The State Board of Education shall consider the cost  
4 of the instructional materials, per pupil, in selecting the  
5 instructional materials for adoption. The state board shall give  
6 preference to the instructional materials that meet the criteria of  
7 this chapter and have the lowest cost. The state board shall also  
8 adopt any other instructional materials that meet the criteria of this  
9 chapter and whose cost is not higher than 110 percent of the lowest  
10 cost adopted instructional materials. In determining the cost of the  
11 instructional materials, per pupil, the state board shall include the  
12 cost of training teachers, administrators, and other school  
13 personnel in the use of the instructional materials.

14 SEC. 2. Section 60220.5 is added to the Education Code, to  
15 read:

16 60220.5. (a) *The State Department of Education shall collect*  
17 *from each publisher and manufacturer a fee equal to the retail*  
18 *price, or fifty dollars (\$50), whichever amount is the greater, for*  
19 *each textbook or other item of instructional materials submitted by*  
20 *the publisher or manufacturer for review and adoption by the state*  
21 *board. The fee shall be paid before the textbook or other item of*  
22 *instructional materials is considered by the state board for*  
23 *adoption.*

24 (b) *There is hereby created the Publishers and Manufacturers*  
25 *Submission Fee Fund. All fees collected by the State Department*  
26 *of Education under subdivision (a) shall be deposited in the*  
27 *Publishers and Manufacturers Submission Fee Fund. All money*

1 *in the Publishers and Manufacturers Submission Fee Fund is*  
2 *continuously appropriated to the State Department of Education*  
3 *for purposes of funding the expenses of the commission.*

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